cases involving complex equipment, the process takes additional time to conduct technical evaluation, staff evaluation and trials where required.

The procedure is constantly reviewed by the Government with a view to modifying and streamlining the procedure as also to address any practical difficulty which the services may face in the acquisition of required defence equipment.

Charges of rape and murder against army personnel

2346. SHRI SHAHID SIDDIQUI: Will the Minister of DEFENCE be pleased to state:

(a) whether Government are aware of the charges of rape and murder against army personnels, if so, how many rape cases and how many murder cases have been registered against army personnels during last two years;

(b) whether such culprits have been punished; if so, the details thereof and if not, the reasons therefor; and

(c) what steps Government are taking to put a stop to such practices?

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) During the last two years 17 cases relating to the charge of rape and 10 cases relating to the charge of murder were reported against the army personnel.

(b) In 1 case of rape and in 5 cases of murder, where guilt has been established, the army personnel have been awarded punishment. In the remaining cases, the charges are either under investigation/trial or the charges have been proved to be false/frivolous.

(c) All the allegations against army personnel are inquired into promptly. Wherever a crime is established/proved, stern action is taken against the guilty personnel to curb such acts. Further, the punishment awarded is given requisite publicity which acts as a deterrent for others.

Reservation benefits to ex-servicemen

2347. DR. KARAN SINGH: Will the Minister of DEFENCE be pleased to state:

(a) whether in the name of "horizontal reservation" a majority of ex-servicemen are deprived of taking advantage of reservations; and

(b) if so, what steps will be taken to remedy this grossly unfair and discriminatory situation?

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) (i) The Hon'ble Supreme Court, in Writ Petition (Civil) No. 930 of 1990-Indira Sawhney *versus* Union of India and Others, held that reservation for SCs/STs/OBCs made under article 16(4) of the Constitution, may be called vertical reservation and the reservation made under Article 16(1) such as reservation for physically handicapped persons and ex-servicemen as horizontal reservation.

(ii) Horizontal reservation cuts across vertical reservation and the person selected against these reservations has to be placed in the appropriate category, such as, general/SC/ST/OBC.

(iii) As explained above the system of horizontal reservation does not deprive ex-servicemen of the benefit of reservation.

(b) In view of the answer to (a), the question does not arise.

Kidney transplant in army hospital

2348. SHRIMATI PREMA CARIAPPA
PROF. ALKA BALRAM KSHATRIYA:

Will the Minister of DEFENCE be pleased to refer to reply to Unstarred Questton 11 given in the Rajya Sabha on 1.12.2004 and state:

(a) how many kidneys have been transplanted by the Army Hospital, Delhi during the last two years violating the transplantation of Human Organs Act; and

(b) what steps Government has taken to stop this illegal trade of kidney transplantation in Army Hospital in Delhi?

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) and (b) No kidney transplantation has taken place in the army hospital, (Reserach & Referral), Delhi Cantt. in violation of the Transplantation of Human Organs Act during the last 2 years. However, after the lodging of First Information Report by a donor that he was not related to the recipient, the following measures have been adopted to prevent such incidences in future:—

(i) In place of a notarized certificate submitted by the recipient and signed by the donor, showing the relationship between the two, a certificate from a Class I magistrate is being obtained.